

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Oleg STENZEL, et al.

SERIAL NO: 10/523,029

GAU: 1793

FILED: September 7, 2005

EXAMINER: HANOR, S.L.

FOR: HIGHLY DISPERSIBLE PRECIPITATED SILICA

TERMINAL DISCLAIMER

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Now comes the undersigned, Attorney of Record in the present application, who avers as follows:

EVONIK DEGUSSA GmbH is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment, **said Assignment having been recorded in the U.S. Patent and Trademark Office at reel no. 016960, frame(s) 0761.**

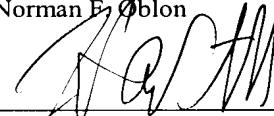
EVONIK DEGUSSA GmbH hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of any patent issuing from application Serial No. **10/542,850**, and hereby agrees that any patent so granted on said above-captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent issuing from application Serial No. **10/542,850**, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

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Respectfully Submitted,

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